

UNITED STATES BANKRUPTCY COURT
District of New Mexico

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 5/5/08.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Peter Simon Luna
1004 Tierra Viva Ct NW
Albuquerque, NM 87107

Kristel Rose Luna
aka Kristel Edwards
aka Kristel Moore
1004 Tierra Viva Ct NW
Albuquerque, NM 87107

Case Number:
08-11422-s7

Social Security or Individual Taxpayer ID No(s)/Employer ID/Other Nos.:
xxx-xx-0053
xxx-xx-1020

Attorney for Debtor(s) (name and address):

Gerald R xVelarde
2531 Wyoming Blvd NE
Albuquerque, NM 87112
Telephone number: 505-248-1828

Bankruptcy Trustee (name and address):

Michael J. Caplan
Trustee
827 E Santa Fe Ave
Grants, NM 87020-2458
Telephone number: 505-287-8891

Meeting of Creditors

Date: **June 6, 2008**

Time: **09:15 AM**

Location: **Creditors' Meeting Room, Federal Building and U.S. Courthouse, 500 Gold Ave SW, Room 12411, Albuquerque, NM 87102**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: 8/5/08

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

Dennis Chavez Federal Building and United States Courthouse
500 Gold Avenue SW, 10th Floor
PO Box 546
Albuquerque, NM 87103-0546
Telephone number: 505-348-2500/866-291-6805
www.nmcourt.fed.us

For the Court:

Clerk of the Bankruptcy Court:
Norman H. Meyer

Hours Open: Monday – Friday 8:30 AM – 4:30 PM

Date: 5/6/08

EXPLANATIONS

B9A (Official Form 9A) (12/07)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Abandonment	Unless a request for notice is filed and served upon the trustee by a party in interest within 15 days after the date of mailing of this notice, the trustee may abandon any property deemed burdensome or of inconsequential value to the estate without further notice.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. If you are an attorney, you are required to file papers electronically. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
— Refer to Other Side for Important Deadlines and Notices —	

Important Requirements for Debtors

1. If you are an individual debtor, **bring with you to the meeting of creditors:**

- A picture ID issued by a governmental unit
- Evidence of Social Security Number or Individual Taxpayer Identification Number

and if your case was filed on or after October 17, 2005:

- Statements for each of the debtor's depository and investment accounts including checking, savings and money market accounts, mutual funds and brokerage accounts for the time period that includes the date of filing of the petition.
- Documentation of monthly expenses claimed by the debtor when required by section 707(b)(2)(A) or (B).

2. If your case was filed on or after October 17, 2005, and you are an individual debtor in a chapter 7 or 13 case, **not later than 7 days before your meeting of creditors –**

- Provide to the case trustee copies of payment advices (pay stubs) for payments received from employment in the 60 days preceding the date the petition is filed. The name and address of your case trustee, and the date of your meeting of creditors, appear on the first page of this notice.
- Provide to the case trustee a copy or a transcript of your most recent federal income tax return. Use IRS Form 4506-T to order a transcript of your federal income tax return for free. (A note about Form 4506-T: Select choice 6a on the form for the quickest response time.)

If you are an individual debtor in a chapter 7 or 13 case:

FAILURE TO PROVIDE THE TRUSTEE WITH COPIES OF THE PAYMENT ADVICES AND THE FEDERAL INCOME TAX RETURN MAY RESULT IN DISMISSAL OF YOUR CASE.

Notice of Availability of Case File Information Via the Internet

All case dockets and images of pleadings filed after June 1, 2000, are available through the PACER website. Internet users are able to read, download, store and print the full content of electronically filed or imaged documents. Documents that have been sealed or otherwise restricted by court order are not available electronically.

Procedure for seeking exclusion of records from Internet: A motion to file a document under seal is filed either electronically or in paper format. The Court considers each such motion on its individual merits. The order of the Court authorizing the filing of such document under seal is filed by the Court. A paper copy of the order is attached to the sealed document; the sealed document and attached order are delivered to the Clerk of the Court. See Federal Rule of Bankruptcy Procedure 9018.

Judicial Conference Policy on Personal Identifiers in Documents

The policy of the Judicial Conference of the United States requires that parties either: (1) refrain from including the following personal identifiers from all pleadings filed with the court, including exhibits, or (2) where inclusion is necessary, redact the following personal identifiers from all pleadings filed with the court, including exhibits, whether the pleadings are filed electronically or in paper, unless otherwise ordered by the court. Redacting means the careful editing of a document to remove confidential material; on paper, the material is usually "blacked out" with a marker. Personal identifiers:

- **Social Security number or Individual Taxpayer Identification Number.** If an individual's social security number (SSN) or individual taxpayer identification number (ITIN) must be included in a pleading, only the last four digits of that number should be used.
- **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- **Dates of birth.** If an individual's date of birth must be included in a pleading, only the year should be used.
- **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.

The responsibility for redacting these personal identifiers rests solely with parties and their attorneys. The Clerk will not review each pleading for compliance with this policy. Attorneys and parties are cautioned that failure to redact these personal identifiers may subject them to the full disciplinary power of the Court.